

09/06/02

Significant phone contacts:

Name	Phone #	Cube
Nancy Fagan	5-8385	6.122
Mark Potts	5-6746	9.014
Steve Gilrein	5.8179	6.K16
Mark Peycke	5.2135	10.G02
Bob Wilkinson (RCRA enforcement)	5.8316	9.066

157356



Called Nance Fagan (5-8385) concerning comments from Mike Bates to Bill Honker that "Nancy Fagan was gathering data on this and 2 other sites using a contractor."

09/06/02 10:30 AM - Called 501.682.0599 Chrissy Heider. She referred me to Penny Wilson (supervisor for inspectors in hazardous waste) 501.682.0868. Penny said she's heard that, concerning Cedar Chemical:

- The facility is being mothballed.
- The facility is now being operated with a skeleton crew.
- The company is trying to sell what product remains on site and is shipping raw materials to its other locations.

Penny said that:

- Last May (month based upon her memory) he inspectors had been at the site and had found hazardous wastes that had been stored on site for more than 90 days. Cedar was cited, and has since responded saying that the wastes have been removed. Penny will have her inspectors return to the Cedar Chemical Site next Monday to reinspect the site for hazardous wastes on site.
- Her supervisor is Joe Hoover 682.0879 who would have more info about the site.
- All ADEQ records are available at a central records section which is located in the state police building.

10:54 Received call back from Nancy Fagan. Nancy said:

- Yesterday she had met with her contractor and had given instruction to begin a review of ADEQ site files on Cedar Chemical and construct a conceptual site model (facility profile).
- Her REPA contract for compliance with GPRA (government performance result act) for immediate health risks to review high priority facilities for compliance with CA725 (concerns human health) and indicator CA750 (ground water migration) that must be met by 2005.
- She said Bob Wilkinson (RCRA enforcement) is familiar with this site.
- She said she has talked several times with Dave Hartley, 501.682.0843, (ADEQ) about this site.
- Concerning her need for compliance with GPRA, she questioned if the site were to be abandoned, would it's responsibility be transferred from RCRA to SUPERFUND? If so, would RCRA no longer have to check for GPRA compliance?
- She agreed that a team meeting is appropriate.
- She agreed to share with SUPERFUND her contractor's deliverables of ADEQ file review and conceptual site model.
- Based upon the above, I told her that SUPERFUND will not take action to review ADEQ files if information obtained by her contractor meets our needs.

11:30 AM - Called Bob Wilkinson (RCRA enforcement) 5.8316. Left voice msg for him to call me back.

Per Metronet:

Search for Cedar Chemical in West Helena, AR:

1:00 PM - Called Dave Hartley, 501.682.0843, (ADEQ) about this site. Dave is out, the secretary said Dave is a Geologist. Secretary forwarded my call to Mike Hill, Engineer. Mike said:

- He'd just recently been assigned to the site so he only has limited site info.
- Dave Hartley is very familiar with the Cedar Chemical site, he's been assigned to the site for a long time.
- Mike said just after he'd been assigned to the site (about three months ago) he'd received a phone call from Larry McDermott, Cedar Chemical's safety, health, and environmental mgr (870.572.3701, Ex 286). McDermott said that Cedar Chemical had just filed Chapt 11 bankruptcy for reorganization and he didn't know if he would be laid off the next day.
- Mike said all but a few employees have been laid off.
- Concerning my comment that Cedar Chemical might be mothballing the plant instead of abandoning the plant, Mike said they are steam cleaning the tanks and they have filed a petition to abandon site.
- Dan Etzkorn (501.682.0888) is the ADEQ attorney assigned to this site and he has all the details about the bankruptcy and the petition of abandon the site.

- The soil is contaminated
- There is a 1 mile contaminated ground water plumb from the site.
- A building on site has drums of waste buried below the building's foundation.
- A second site, Vicksburg Chemical in MS is also being abandoned by Cedar Chemical.

1:40 PM received call from Jim Rigg, (501.682.0832, ADEQ Geologist and also Dave Hartley's Supervisor). Significant comments from Jim follow:

- Cedar Chemical had filed a motion last week in Manhattan, NY to abandoned the site.
- Skeleton crew was now shipping materials from the site.
- There is a waste water treatment plant on the site that will be abandoned if the abandonment motion is approved.
- Sometime prior to RCRA (in the 70's) Cedar Chemical built a building on the site. Plans (copy is now in ADEQ archives) for this building show drums layered side by side under the buildings slab foundation. He said the plan in archive might indicate that the state had approved the layering of these drums as part of building's foundation. He said the plans are taped together so he doesn't know if the plans had ever been submitted to the state or ADEQ had only picked up an old copy of building plans from some other source.
- Jim said he couldn't remember if the drum's contents were identified but the building with the buried drums in is the area of high concentration of "dinoseb" (this is the product name for one of Cedar Chemical's product).
- He thinks the Vicksburg Chemical facility is still operating.
- The Vicksburg Chemical facility in MS is in EPA Region 4
- Trans-Resources is the parent of Cedar Chemical.
- He is not aware of Trans-Resources lifting a finger to help in Cedar's closure.
- He said the Cedar Chemical facility has never been used as a waste disposal facility.
- He will email me a history of the site that was prepared by Dave Hartley.

03:58 PM - Called Dan Etzkorn 501.682.0888 (ADEQ attorney assigned to Cedar Chemical). Significant comments from Dan:

- Both Cedar Chemical and Vicksburg Chemical filed Chpt 11 bankruptcy in NY.
- History of site - each prior owner used the facility to make different chemicals.
- Vicksburg Chemical is a subsidiary of Cedar Chemical.
- Mike Arnett 404.562.8921 (EPA Region 4) is going to the MS site to see if it might rank.
- Cedar Chemical has filed a motion with the bankruptcy court to abandon it AR site to ADEQ & Vicksburg Chemical has filed a motion with the bankruptcy court to abandon its MS site to the EPA.
- 9/20/02 is court's deadline for filing an objection to Cedar's and Vicksburg's motion to abandon the sites to ADEQ and EPA.
- David has asked/urged Kevin Beswick 404.562.9580 (attorney in Region 4) to file an objection to the motions to abandon the two properties in their present conditions to ADEQ and EPA.
- David Kennedy (718.422.5649) U.S. DOJ attorney in Southern District of NY is Kevin's contact. Kevin told Dan that Kennedy is the attorney that would file an objection to the Vicksburg abandonment for EPA Region 4.
- Bankruptcy docket # for case the Cedar Chemical case is 0211039 in NW Southern District of NY. GO to www.nysb.uscourts.gov in PACER ACCT to get court details.
- He thinks the abandonment filing # is in file 253.
- He thinks the Chpt 11 is only a delaying tactic by Cedar. They have no intent to reorganize. They are only using the time to liquidate assets from the site before they abandon the site.
- There are railroad cars on site is chemicals (thinks the tank cars are label "code 1591"). There are also drums stacked three high on the site.
- Summarized by saying the problem at the site is in 5 general categories:
 - Cedar dug a hole, put in drums in it and then covered in with a concrete slab, and then build a building over the slab (said this is a huge vault of drums under the building).
 - Ground water contamination (1 mile long plum)
 - Gross soil contamination
 - He doesn't know if drums under the cement slab/building is the source of the ground water and soil contamination.
 - Abandonment of site and off leaving inventory.
- Trans-Resources has not lifted a finger to Cedar Chemical in this matter.
- He is not sure about time frame that EPA can file claim as a creditor in Cedar's bankruptcy.
- Cedar has secured claims of \$83M from Morgan Chase, total debts of \$93M, and assets of \$38M.

- Check www.westlaw.com, 11 U.S.C. 554a for citations about abandonment of contaminated property and EPA claims. He said the court's have gone different ways in giving EPA priority for clean up costs over secured creditors.
- Betty Ruth Fox (601.961.5573) attorney that works in MS DEQ. She is working to file objection to Vicksburg Chemical's abandonment request.

09/09/02

9:25 AM - Called and left voice msg for Kevin Beswick 404.562.9580 (attorney in Region 4) concerning Dan Etzkorn's request that Region 4 file an objection to the motions to abandon the two properties in their present conditions to ADEQ and EPA. His comments were:

- Concerning the bankruptcy, he is trying to get cost info for proof of claim.
- Would like to have the abandonment transferred from the bankruptcy court via a "withdrawing a reference" back to NY Southern District Court. He feels that the district court is the appropriate court for the abandonment issue. If EPA does nothing, it is very possible that the bankruptcy court will allow the properties to be abandoned. Maybe not to EPA and the ADEQ, but out of the corporation's responsibility.
- He thinks DOJ will file a motion objecting to the property abandonment.
- He's not yet talked to Larry Pucket in DC about this matter. However, DOJ has requested some info about the abandonment proceedings.
- The person in NY is an asst US Attorney
- His understanding is that until 08/16 the plan was only to reorganize. It was on 08/16 that some RCRA people on site were told by company personnel that the company was going to liquidate rather than reorganize.
- Probably up to the DOJ to do anything at this time, Region 4 doesn't have jurisdiction now.
- Allan Tenenbaum 202.514.5409 is the DOJ bankruptcy attorney that has info on this matter.
- He estimates the site will be a 38 - 40 million dollar cleanup.
- Storm water runoff is a critical problem, has already contaminated the bayou. The plant's water treatment plant will be abandoned if the abandonment is approved.
- He thinks the bar date think to file claims on this matter was 09/04.

09/17/02

9:25 AM - Called Nance Fagan (5-8385). Left voice msg asking if she's received any state info yet from her contractor.

9:30 AM - Talked to I-Jung Chang who said that Mark had told he will not assign and attorney or do anything on this site until/if Myron decides that Region 6 will take the site.

1:15 PM - Called AR Sec of State (501.682.5151), talked to Sara and to check current status of the following:

1. Helena Chemical ~~Corporation~~ Company

Findings: Company is active as of 5/29/02, registered agent is mailin 425 west capital ave, suite 1700, L R aAR 72201

2. Eagle River Chemical Corporation

Findings: don't find any such name

3. Ansul Company

Findings: no name

4. VERTAC Inc.

Findings: vertac chemical corporation, #67486, Recognieed 8/30/79, dead date good standing as of 5/16/2002, registeread agent the corporation company, 425 west captial ave, LR, AR 72201. not disonleve not withdwar and has paid annual rare sara

www.sosweb.state.ar.us

09/18/02

9:45 AM - Called Kevin Beswick 404.562.9580 (attorney in Region 4) who was out of office and call was forwarded to Susan Rubin (Devin's supervisor). Susan said:

- Wilda Cobb (404.562.9530) is the attorney working on this site. Sue said Wilda has an email that "Harcros Chemical" has expressed an interest in buying the Cedar/Vicksburg property. To my question did "Cedar/Vicksburg" refer only the single property in Vicksburg, MS or did it refer to the property in Vicksburg and the property in Helena, Sue said she was not sure, she said I should call Wilda to get further information.

12:20 PM Called Wilda Cobb (404.562.9530). Wilda said:

- She is the Superfund attorney assigned to this case.
- Until this morning Harcorss Chemical was only interested in the MS property (referred to as the Cedar/Vicksburg property).
- Based upon my earlier call this morning to Susan Rubin, Susan had called her and told her about the second property in AR.
- Based upon Susan's, she then called the CEO and the attorney for Harcros Chemical and advised them that Cedar Chemical has another property in AR that could be acquired. She said they asked for the AR property's location and said they might go look at it.
- Concerning the MS property, the status of a possible purchase by Harcros is only in the very preliminary stage.
- Concerning the property abandonment, Larry Pucket (202.514.1196) is the DOJ attorney that is now drafting/working on an objection to the abandonment of the MS property. To her knowledge he is only working on an objection to the abandonment the MS property.
- She said the objection will be based upon the "Midlantic Standard" and part of the wording of the objection is abandonment of the property will result in an "eminent and identifiable danger to the public health and safety."
- The actual objection will be filed in NY by David Kennedy (718.422.5649) U.S/asst DOJ attorney in NY).
- Region 4's drafted proof of claim for EPA's estimated removal costs at the site has been sent to Larry Puckett. She said this action is also intended to prevent other creditors of Cedar Chemical from removing equipment from the site that might complicate EPA's future removal activities.
- The following is extracted from Region 4's drafted proof of claim (taken from Cobb's 09/18/02 email to me:

"The United States presently estimates that the cost of implementing all required closure and post-closure care for all hazardous waste management units at the Facility and the cost of performing all required corrective action measures for the entire Facility under RCRA and the RCRA Consent Decree, and the cost of continuing to operate the wastewater treatment plant under the CWA and NPDES Permit No. MS007995, total \$30 million. The United States reserves the right to amend this Proof of Claim to include, or to take, other appropriate actions with respect to the Facility. The United States also reserves the right to amend this claim to assert subsequently discovered liabilities."

Per Experian search for "Cedar Chemical in West Helena, AR:

CEDAR CHEMICAL CORP
HIGHWAY 242 S
HELENA, AR 72342-8803
870-572-3701
SIC CODE = 287900

1:54PM - Called 870-572-3701. Cedar Chemical operator said street address of the Cedar Chemical facility is 49 Phillips 311 Road, Helena, AR 72342.

2:00 PM - Called Wilda Cobb (404.562.9530) and left voice msg to call me (going to advise her that the street address of the 48 acre Cedar Chemical facility is 49 Phillips 311 Road, Helena, AR 72342 and ask the following questions.

Prior experience with Harcross Chemical :
When :
Talked to Harcross Chemical attorney & CEO : in ms
Did they say when they would look at site :
Harcross Chemical located at :
Harcross Chemical phone # : both asked where amey very early in
process.
Is the word "Harcross" of "Harcros" :this is it

2:10 PM - Called Larry Pucket (202.514.1196) the DOJ attorney that is now drafting/working on an objection to the abandonment of the Vicksburg site and Region 4's *proof of claim.

3:30 PM - Met briefly with Janice and John concerning John's going to Helena to do title search for the Cedar Chemical site. Gave John copies of page 2, 5, and 6 of the 03/08/02 chpt 11 filed by Cedar Chemical along with two addresses for Cedar Chemical (Highway 242 S, Helena, AR 72342-8803 and 49 Phillips 311 Road, Helena, AR 72342). I said I don't know if the site is/in Helena or West Helena. Told John the bankruptcy document states that "Helena Chemical Company first developed the West Helena Plant in 1970." Therefore I need the title search to confirm, with copies of

recorded deeds, all of the site's owners of record beginning from when the property was last used/available for agriculture purpose, i.e., farmland, timberland, etc., through the present time.

Information from the Cedar Chemical Bankruptcy indicates the following ownership history of the site:

- Helena Chemical Company first developed the West Helena Plant in 1970.
 - I need one copy of the deed that documents Helena Chemical Company's purchase of the site.
 - If
- In 1971 the plant was sold to J.A. Williams, which transferred the "plant" to Eagle River Chemical Corporation, a company controlled by the Ansul Company.

Explained at this time, I'm only asking him to do a title search for the

09/19/02

2:15 PM - Called Nance Fagan (5-8385) and left voice msg asking if she still planned to have her contractor review ADEQ file next Tuesday.

1:15 PM - Called AR Sec of State (501.682.5151). Talked to Lisa, asked for search of old corp info for the following AR Corps:

- J.A. Williams - no old records need to manual reocrd sear
- Eagle River Chemical Corporation - no old records
- Ansul Company - not since 1987 sec of state, ATTN corp records, State Captial Bldg, Little Rock, AR 72201-1094

09/20/02

12:30 PM - Called Wilda Cobb (404.562.9530). Wilda said:

- Harcros is not interest in the Cedar Chemical Site in AR. The product produced in the AR plant was entirely different than that produced at the MS plant.
- Kevin is the MS OSC. He's already completed his inspection and has sent his report on to Kennedy. Wilda will send me a copy of his report.
- Wilda had not been aware of the apparent financial strength of Cedar Chemical's parent corporations nor was she aware of the apparent commanality of corporation officers between Vicksburg (Cedar's sub), Cedar, Nine West Corporation (Cedar's immediate parent), and Trans-Resources, Inc (Cedar's 2nd parent), and TPR Investment Associates Inc (Cedar's ultimate parent).
- At Wilda's request I sent her by D&B findings to date (showing corporate associations).

09/23/02

Per NACO:

Phillips County Courthouse

600 Cherry Street

Helena, AR 72342

Phone: (870) 338-5500

Fax: (870) 338-5504

Phillips County Clerk's Office: 870.338.5505

Phillips County Assessor's Office: 870.338.5535

8:15 AM - Called Phillips County Assessor's Office 870.338.5535. Talked to Sara in the assessor's office. She said:

- Cedar Chemical has only one location in the county that is comprised of three parcels (44 acres + 3.94 acres + .09 of an acre).
- Legal descriptions are minimal so she cannot tell if all three are contiguous.
- Physical address of property is 49 Phillips 311 Road (311 is a county road).
- The property is in Phillips county outside the city limits of West Helena.
- The property is almost directly south of West Helena.
- The property is not liable for city taxes.
- Taxes are current but not yet paid for 2001 (2001 taxes are due 10/10/02).
- She cannot find any record of a plat map for the property. But, based upon the name of the survey (old Spanish land grants) they probably are contiguous.
- There presently is no county agency for obtaining/recording building permits for properties in the county but outside the city limits.
- 44.07 is recorded in Bk 486/Pg 570 + Bk 497/Pg 79 + Bk 526/Pg 333 and deed reference vol **630/pg 928** (last transaction in 1986 was some type of transfer - a special warranty deed).
- 3.94 acre parcel also recorded in Bk 486/Pg 570 + Bk 497/Pg 79 + Bk 526/Pg 333 and deed reference vol 630/page 928 (last transaction in 1986 was some type of

transfer (a special warranty deed).

- .09 acre parcel recorded in Bk 696/Pg 75. This was some kind of warranty deed in 1993.
- Her office has record cards for the property.
- Concerning a survey of the site, if a survey has not been recorded she suggested I talk to a local surveyor - Cline Frazier Civil Engineers (870.338.6550).
- Assessor's office is in the county court house 620 cherry street, Suite 100 (corner of Cherry and Perry).
- Sara's been with the County assessor for approx 4 years, but she grew up in the county. She said the area where the plant is located is definitely rural but she was too young to know what the property was used for back in 1970.
- Sara said Estelle is the most senior person in the assessor office. Estelle has been there since 1976 but she's not familiar with the Cedar Chemical property.

Called Circuit clerk's office for Phillips County 870.338.5515 (deeds are recorded in the circuit clerk's office, Circuit clerk's office is in the Phillips County Court House at 620 cherry street, Suite 206 (corner of Cherry and Perry). Talked to Willene who pulled the following deeds and said:

- Deed in Vol 630/Pg 928 - Grantee is Cedar Chemical Corporation / Grantor is Vertac Chemical Corporation. She said the deed doesn't identify the number of acres in the tract.
- Deed in Bk 486/Pg 570 - Willene said this is not a deed, it has nothing to do with the Cedar Chemical property, it is the 2nd page of a deed of trust where Roy Warren received a loan from Merchants.
- Deed in Bk 497/Pg 79 - Grantee is J.A. Williams (NOTE - Willene said that she remembers J.A. Williams was an individual that had lived in Helena - she has no current knowledge of him or his whereabouts) / Grantor is Helena Chemical Company.
- Deed in Bk 526/Pg 333 - Grantee is Eagle River Chemical Corporation / Grantor is West Helena Industrial Development Corporation
- Deed in Bk 696/Pg 75. - Grantee is Cedar Chemical Corporation / Grantor is Blackhawk Warehousing and Leasing Company (NOTE - Willene said that she thinks Blackhawk still exists)
- She said if a survey is recorded in the county, it would be recorded in her office.

Sent Leeman email requesting completion of a title search (SEE LEEMAN_T01_TITLE SEARCH REQUEST.WPD).

09/24/02

11:30 AM - Called David Kennedy (718.422.5649) and left voice msg about my thoughts of a "contrived financial crises" for Cedar and Vicksburg.

09/29/02

10:45 AM - No response received from Kennedy. Called David Kennedy again (718.422.5649) and left voice msg about my thoughts of a "contrived financial crises" for Cedar and Vicksburg. Also told him that I would send info that I put in my last weekly about this issue.

11:00 AM - Received call back from Kennedy. He concurred about possibility of my scenario. Significant points from Kennedy:

- He's currently attempting to try to locate additional assets that "they" Cedar Chemical might have via a committed of unsecured creditors.
- The question is who is "they" that have assets. If it is only Cedar and/or Vicksburg, "they" probably don't have visible assets. If "they" includes Cedar's parent corporations, then "they" do have visible assets.
- Jim Periconi 212.237.1000 with firm of Windels, Marks, Lane, and Miltendorf, (Per Metronet - 156 W 56th St, New York, NY 10019-3800) is representing MS. Kennedy said that Periconi has experience in breaching corporate shields.
- Concerning the parent corporations, Kennedy said Cedar's bankruptcy and is petition to abandon property are one issue and the liability of Cedar's related parents a separate issue. He thinks Cedar's parents liability should be treated as a CERCLA matter.
- I asked that if he needs particular info about corporation associations to call me.
- He received my last email with the two attached files. He asked that I send all info I've already collected (See my sent email - FILE "KENNEDY_T03.WPD")

1:22 PM - Called Nance Fagan (5-8385) and left voice msg asking if a RCRA attorney is/has been assigned to Cedar Chemical.

2:55 PM - Called Bruce Jones 5.2158 (RCRA) Attorney to see if an attorney has/had

been assigned to Cedar Chemical. Significant points from Bruce:

- Cedar Chemical is not familiar with him, he has no attorney assigned to this site.
- Concerning the waste water treatment facility - Water treatment facilities do not fall under RCRA.
- Only if TSD permit is issued will RCRA have been involved.
- He suggested I call Terry Sykes 5.2158 (RCRA Enforcement Attorney).
- He suggested I call Paulette Johnsey 5.7521 concerning closure of water treatment facilities.
- He suggested I call Water Enforcement Mike Michaud 5.6491 or Bob Murphy 5.6469.
- Concerning hazardous materials in/under the foundation of the building, he said this sound like a criminal matter that needs to be referred to criminal.

Per Rosaland Tarkington - As of today Peycke has not assigned an attorney to this site.

Approx 3:30 PM - Jim Periconi 212.237.1000. Left msg with his receptionist for Jim to call me back.

4:04 PM - Called Dan Etzkorn 501.682.0888 (ADEQ attorney assigned to Cedar Chemical) to get info concerning if ADEQ had given Cedar a TSD facility permit for the materials in the foundation under that building. His receptionist said he'd left for the day, left msg with her for him to call me in the morning when he comes to work.

4:11 PM - Called Terry Sykes 5.2158 (RCRA Enforcement Attorney). Left voice msg to call me concerning possible attorney assignment to the site ("dinoseb" - this is the product name for one of Cedar Chemical's product that possible is buried).

4:17 PM - Off voice mail took following msg from Sykes:

- Some years ago she had a case for "Cedar Chemical."
- She is leaving office, she asked that I call her tomorrow at 5.2158.

10/01/02

11:37 AM - Called Terry Sykes 5.2158 (RCRA Enforcement Attorney). Left voice msg to call me, left msg that the Cedar I'm concerned with is in AK.

11:40 AM - Called Dan Etzkorn 501.682.0888 (ADEQ attorney assigned to Cedar Chemical) to get info concerning if ADEQ had given Cedar a TSD facility permit for the materials in the foundation under that building. Dave forwarded my call to conference room where he, Dave Hartley and Gary Moore were present. Gary had been out to the site yesterday. Important points said are:

- Dan said if phone disconnects while transferring call 501.682.0881.

All further comments came from Gary Moore:

- He been to the site yesterday, said Cedar has 11 employees now working.
- Cedar employees he'd talked to at the site are Greg Satterfield (interim plant mgr) and Benzene Collier (Sr Environmental Technician).
- Gary said that the Cedar employees on site received their instructions from Yehuda Yoked (identified as Cedar's President). Gary said they had told him that Genger had been at the site. However, their instructions were coming from Yehuda.
- The Cedar employees are getting rid of drums and waste on site. As of yet they have not gotten rid of lab materials/chemicals that are on site. He said they are get rid of all materials that had been left in tanks and pipes and they are arranging for disposition of material on site that are in RR tank cars.
- Gary said he been told that Cedar has 20M someplace to cover clean up costs. He said J.P. Morgan, the only secured creditor, is giving authorizations for expending monies for wastes being disposed from the site.
- Gary said he'd been told that Cedar will soon have all piped and tanks cleaned (he was given impression that all cleaning activities would be completed in two weeks). Cedar is using a contractor (Hill Environmental Service) to do the cleaning.
- Gary said he told the Cedar people that EPA would like for the lab chemical to be removed but they had said they had not yet received instructions for removing chemicals in the lab building.
- Gary was told that all materials (except from the lab bldg) will be removed from the facility by Cedar/Contractor.
- Contract is already in place to get ride of materials in rail cars on site.
- Remaining issues that need to be addressed are the materials in the lab, disposal of drums in the vault (under the building), soil contamination, and ground water contamination.
- Apparently Cedar owes 83M to J.P. Morgan.

- Gary said Cedar is now getting rid of the materials that he would have to address if this were a removal action (i.e., all abandoned materials left at the site).
- The next thing to do is to see if the facility as it is eventually abandoned, will rank high enough to be listed on the NPL.
- Gary is only at the site for a visit, not to determine if it will, or will not, rank.
- Gary said that Dan Etzkorn had told him that the drum storage buried in/under the cement slab that is part of a building on site, was never permitted by ADEQ to be an approved storage facility. He's never found any documents to substantiate ever being permitted by ADEQ as a permitted facility.
- Gary said he seen some document that Youka had signed as being the President of Cedar Chemical Co.

12:21 PM - Called Jim Periconi 212.237.1000. His secretary said he is out to lunch, will be back in one hour. I told her I'll call back in one hour.

1:46 PM - Called Jim Periconi 212.237.1000. Discussed relationships of Cedar, its sub and its parents. Jim agreed about the relationship and, using the Best Foods Case, the need to establish that the parent directed or controlled Cedar's operation. I agreed to send my accumulated info to Jim (SEE PERICONI_T01 & T02_EMAIL SENDING ACCUMULATED INFO.WPD).

10/02

3:09 PM Called Dan Etzkorn 501.682.0888 (ADEQ attorney assigned to Cedar Chemical). Talked to Linda in his office. She confirmed that Dan, accompanied by David Harley) will be going to NY next week. She thinks they will be leaving on Sunday.

3:15 PM - Called Kevin Beswick (404.562.9580) (attorney in Region 4). Susan Rubini (404.562.9674) is Kevin's supervisor. Left voice msg asking if he planned to go to NY next week.

3:24 PM - Called Mike Arnett (404.562.8921) (OSC - EPA Region 4). Mike's supervisor is Mario Villamarzo (404.562.8912). Left voice msg asking if he planned to go to NY next week.

10/03/02

9:45 AM - Voice msg off 7:49 AM voice mail from Beswick - His understanding is that the OSC that was working on Vicksburg will go to NY. He doesn't know if a Region 4 attorney or any other member of mgt, will accompany the OSC. He will know more later today. premeidal kevin misenheimer 404.562.8922. don't know yet if it will rank now

11:17 AM - Called Terry Sykes 5.2158 (RCRA Enforcement Attorney). She had earlier left a voice msg saying she had worked with Cedar Chemical on an air matter. I called her back and left voice msg to call me at my office or my cell. premeidal kevin misenheimer 404.562.8922. don't know yet if it will rank now

11:22 AM - Called Kevin Misenheimer 404.562.8922.

2:15 - PM Briefed Buddy upon the previous conference.

10/08/02

Talked briefly

11:35 AM - Called David Kennedy (718.422.5649) and left voice msg asking:

- If the matter/status of parent liability was brought up at the hearing.
- The phone number of Jerry Hellerman (the consulting specialist in corporate matters that Kennedy hired to look into the relationship between Cedar Chemical corporation and it's corporate parents).

10/10

9:25 AM - Called Gerry Hellerman's number is (301.596.0053) concerning his knowledge of Vicksburg Chemical Corporation, Cedar Chemical Corporation, Nine West Corporation, Trans-Resources Inc. and TPR Investment Associates Inc. Left voice msg for him to call me back.

9:30 AM - Sent email to David Kennedy (718.422.5649) asking certain questions about Hellerman and access agreement question after the property has been abandoned.

9:00 AM - Off voice mail recieved call from Hellerman yesterday. His Cell # is

301.596.0053. He said to call his office and leave msg when I will be in my office to take his call. Called Gerry Hellerman's number is (301.596.0053) and left msg that I will be in office all morning.

10:55 AM:

Received call from Kennedy. He said:

- Hellerman was highly recommended to him for corporate association work.
- He will fax me a copy of Hellerman's resume.
- Hellerman received experience in this area while he worked for the government from 79 - 93.
- He is concerned about the corporate officers stripping the corporation of its assets (as of Monday the Cedar received 2.2 million from sale of one of its licenses).
- Only thing he'd heard from others at the hearing was what he'd already put in his 10/09 email (

on staef 79 - 93 will be completed at end of bankruptcy
chuck they concerned about officers of the debtor ... stripping the site under
best foods if a guy is active taht was

they pary the environmeant authorities
379.15

1:33 Called Kevin Beswick 404.562.9580 (attorney in Region 4). Left voice msg asking if region 4 would be interested in funding ½ the consultation costs of Hellerman to assist in linking Trans-Resources, Inc.

10/15/02

10:35 AM - Called Dan Etzkorn (501.682.0888) concerning Gary Moore's 10/14/02 email stating that Dan had info about a prospective purchaser of the Cedar facility. Dan said:

- He's heard they are no longer interested. Said he'd heard they don't have adequate finances to clean the site, heard they'd thought the property would be given to them and they would get some type of grant from the state.
- Dan said he knows ADEQ will not give a grant and the only state agency he knows of that might give a grant is the AR Dept of Economic Development. Dan didn't have any contact with anyone in the AR Dept of Economic Development.
- Contact Arden Engebretsen with Brandy Wine River Associates (727.452.8060). think they lost interest.
- Concerning connection between Cedar and its parent(s) Dan said there is a huge connection. Tran-Resources is only an office in NW. He said I should contact Gerald Hellerman who has connection information.

11:13 AM - Called Arden Engebretsen with Brandy Wine River Associates (727.452.8060). Important comments from Arden were:

- Conditions imposed by ADEQ made it difficult under the circumstances, to make a firm decision to acquire the facility. He added that no final decision has yet been made to acquire, or not to acquire, the site.
- ADEQ didn't offer the site as a Brownsfield site.
- ADEQ was not going to grant BWRA any additional time for BWRA to investigate the site's condition after the site's abandonment.
- ADEQ's stipulations were that BWRA must (1) for an indefinite time period do a feasibility study, (2) Submit a plan to ADEQ to remediate the site, (3) ADEQ must approve the plan, (4) BWRA must then remediate the site, (BWRA must pay ongoing cost to mothball the plant during all this time - estimate \$100,000 per month), (5) BWRA not operate the site until after ADEQ feels needed remediation is completed and sets a base line from which prior problems would not be attributable to BWRA.
- BWRA feels to may uncertainties with plan offered by ADEQ.
- Arden said he feels that an operating Cedar Chemical plant in the community is more beneficial than the closed/abandoned plant.
- His answer to my question how BWRA planned to use the Cedar Chemical site was that BWRA planned to hire the same local people that had previously operated the plant to make the same type of product that had previously been made at the plant. He said the Cedar Chemical plant could be operated at a cost advantage to its competitors and already had experienced local employees.
- Arden said Cedar had been profitably operated. He said Cedar's failure was not the result of Cedar's operation but instead was caused by cash drained off for the Vicksburg Chemical facility and by excessive dividends taken from Cedar by its parent corporation(s).

- He said ADEQ had told him that to remediate the site would be a very complex issue.
- He said off plant problem (ground water) is migrating away from the site.
- His understainging was the site would be abandoned on 10/15/02 to Cedar Chemical and that Morgan Chase would then give up its interest in the property.
- He had visited the AR site, and had gone to ADEQ in Little Rock to talk with Dan Etkorn (501.682.0888) and his staff about the site.

10/17/02

11:52 AM - Took 10/17/02 10:11 AM voice msg from Gerry Hellerman asking I return his call at 301.596.0053. He was checking to see if I'd received his fax. I said no and he refaxed it to me.

Received fax from Hellerman

10/25/02

Noted that, according to corporate information obtained from CdbInfotec, 5100 Cedar im Memphis, TN is a common address for the following:

- AR Corporations:
 - Helena Chemical Company, Home Office Address: 5100 Poplar Ave. Memphis, TN
AR Corp ID CP00061454, Active from 06/27/1977 thru current time.
- CA Corporations:
 - Cedar Chemical Corporation, Mailing Address: 5100 Poplar Ave Ste 2414, Memphis, TN 38137
CA Corp ID 01582483, Recognized from 03/20/1987 thru 08/01/2000
 - Helena Chemical Company, Mailing Address: 5100 Poplar, Suite 3200, Memphis, TN 38137
CA Corp ID 00666027, Active from 09/28/1972 thru 08/19/1977.
- CT
 - HELENA CHEMICAL COMPANY, Mailing Address: SUITE 3200, 5100 POPLAR AVE., MEMPHIS, TN 38137 (an AR Corp recognized in CT)
CT Corp ID 0021765, Active from 07/22/1974 thru 10/04/1979
- FL Corporations:
 - Cedar Chemical Corporation, Mailing Address: 5100 Poplar Ave., Suite 2414, Memphis, TN 38137
FL Corp ID P13747, Active from 03/25/1987 thru current time.
 - Helena Chemical Company, Mailing Address: 5100 Poplar, Suite 3200, Memphis, TN 38137
FL Corp ID 825392, Active from 11/19/1970 until 11/28/1977 when Helena Chemical Company (FL Corp ID 825392) merged into Helena Chemical Company (FL Corp ID)
 - HELENA CHEMICAL COMPANY, Mailing Address: 225 SCHILLING BLVD., SYE 300, COLLIERVILLE, TN 38107
FL Corp ID 838677, Active from 06/29/1977 thru current time.
- LA Corporations:
 - Cedar Chemical Corporation, Mailing Address & Prin. Bus. Office: 5100 Poplar Ave. Ste. 2414, Memphis, TN 38137
LA Corp ID 34234198F, Active from 03/23/1987 thru current time.
- MS Corporations:
 - Cedar Chemical Corporation, Corporate Address: 5100 Poplar Ave # 2414, Memphis, TN 38137-0101
MS Corp ID 00526606, Active from 12/18/1985 thru current time.
 - Vicksburg Chemical Company, Corporate Address: 24th Floor Clark Tower, 5100 Poplar Ave., Memphis, TN 38137
MS Corp ID 00593191, Recognized 12/11/1992 thru 12/28/2001
- NC Corporations:
 - Cedar Chemical Corporation, Principal Office and Mailing Address: 5100 Poplar, Suite 2414, Memphis, TN 38137
NC Corp ID 0205703, Active from 03/23/1987 thru current time.
- TN Corporations:
 - Cedar Chemical Corporation, Principal Office and Mailing Address: Suite 2414, 5100 Poplar Ave., Memphis, TN 38137
TN Corp ID 0170813, Active from 04/26/1989 thru current time.

- Vicksburg Chemical Company, Principal Office: 4280 Rifle Range Rd., Vicksburg, MS 39182-1003 (Prev. Prin. Office: 24th Floor-Clark Twr., 5100 Poplar Avenue Memphis, TN 38137)
TN Corp ID 0259995, Active from 12/08/1992 thru current time.
- TX Corporations:
 - Cedar Chemical Corporation, Tax Address and Principal Office: 5100 Poplar Ave., Ste 2414, Memphis, TN 38137
TX Corp ID 0007207506, Recognized from 03/05/1987 thru 03/23/2001.

10/25/02

1:14 PM - Called AR Sec of State 501.682.5151 - Talked to Phil Jordan. Jordan said:

- AR Sec of State has information for only one Helena Chemical Company (a DE corporation, AR Corp # CP00061454) that was recognized 06/27/1977 in AR.
- His corporate history shows:
 - 06/27/77 - This corporation was Initially incorporated as "Helbert Company" ???? in CA the initial name was Helbent Company????
 - 06/30/77 - Initial corporate name "Helbert Company" changed to "Helena Chemical Company"
- To my question if AR had entered all old corporations into their data base, his answer was yes, all corporate historical info of all corporations had been into the data base. Only historical info not put into the data base was franchise tax info.
- If I would like a search of the corporate card files, I need to address a letter request to: AR Sec of state
State Capitol
Little Rock, AR 72201

10/28/02 - Called Helena Chemical Company Manufacturing., Highway 49 B, West Helena, AR 72390, 870-572-3434. Operator said yes they are located just off Hwy 49 Bypass. she said the actual street address is 101 Martin Luther King Drive, West Helena, AR 72390

10/29/02

2:24 PM - Called Jim Rigg, (501.682.0832, ADEQ Geologist) but ended up talking to Dave Hartley (Jim is Dave's Supervisor) to ask about his info pertaining to the buried drums. My notes from my 09/06/02 phone conversation with Jim are:

- **Sometime prior to RCRA (in the 70's) Cedar Chemical built a building on the site.** Plans (copy is now in ADEA archives) for this building show drums layered side by side under the buildings slab foundation. He said the plan in archive might indicate that the state had approved the layering of these drums as part of building's foundation. He said the plans are taped together so he doesn't know if the plans had ever been submitted to the state or ADEQ had only picked up an old copy of building plans from some other source.
- Jim said he couldn't remember if the drum's contents were identified but the building with the buried drums in is the area of high concentration of "dinoseb" (this is the product name for one of Cedar Chemical's product).

Title work completed by Leeman shows that Cedar was not an owner of record for any part of the site until 02/26/1986:

- **February 26, 1986** - Vertac Chemical Corporation sells the following parcels of land to Cedar Chemical Corporation:
Property located in Surveys 2412 and 2433
Parcel 1 - Approximately 24.25 acres
Parcel 2 - Approximately 20.00 acres
- **September 7, 1993** - Blackhawk Warehousing and Leasing Company sells the following parcel of land to Cedar Chemical Corporation:
Property located in Survey 2413 and/or 2433
Parcel 1 - Approximately 0.09 acre (

Per 870.338.5535 phone call to Sara in the Phillips County Assessor's Office 870.338.5535:

- Cedar Chemical has only one location in the county that is comprised of three parcels (44 acres + 3.94 acres + .09 of an acre).

Leaves my questions:

- What is ownership status of the 3.94 acre parcel?
- Did both Cedar Chemical Company and Helena Chemical Company produced "Dinoseb" at the time the drums containing Dinoseb were buried at the site?

CI NOTE: Refer to EPA's 1993 "Complaint, Compliance Order, and Notice of Opportunity For Hearing," Docket VI-329-H, pages 4 and 5, Paragraph 13, that

reads "In both its Notification of Hazardous Waste Activity and its Annual Report, Respondent certified that its employees acts or processes which produce the following hazardous wastes: ... (4) discarded commercial chemical residues thereof, identified at 40 CFR §261.33, incorporated by reference at AHWM Code Ch.2 § 3a(2) EPA Hazardous Waste Nos. P020 Dinoseb (not in the Annual Report)...")

- Unless Cedar also produced Dinoseb prior to the time that the drums of Dinoseb were buried on the Cedar Site, then the drums and their contents most likely originated from Helena Chemical Company and not from Cedar Chemical.

@:29 don't know what dy dyno "basalin" we don't know exactly what is in drums/// actual disposal dates back to Cedar River under or in slab. dates back to Eagle River, I believe I have copy to Gary Moore. general diagram should show engineering drawing with table long. labeled a Basaline project." some old plant persons said it was di some said it was baseline a herbicide as far as was build in 1970 about I know /// I can go through archives to see what was being made then. I can probably have names of persons that worked with Eagle //// all same just changed names same people, historically Helena was marketing division of Vertac, // the original Cedar was the same as the old Vertac bunch /// new bunch of Cedar bought the old Cedar bunch /// many same employees but different board of directors. mid 70s when permits came in or /// I was in meeting the other day and I was in meeting with another person that a runaway nitration process /// they dug up some old dyseb drums there intermu response actions /// the alleged that the ansul corporation was the only /// only for a short period of time in the early 70's.. a prospective purchaser meeting a couple of weeks ago Stanley Bernard, was the Cedar chemical guy that see a runaway nitration process of the /// a Memphis address is stanbernard@prodigy.net phone number 901.685.5348 he seemed to know more I have there drawings " of the /// base on old Cedar reports I have Vertac /// was J.A. Williams was original head man for Vertac. it could have very well been brought over from the Helena site.. if the drums contain "and of the these were the pre NPDS treatment pond that were abandoned in 1979. one the waste water treatment was approved and on line /// (ponds 3 present and 3 in the past and at least two others at least 8 ponds) NPDS permit since 77 constituted /// the 79 ponds Site 2) have been filled in /// the other two filled in and other shitnes on to e (site 9 - the dynaseb ponds) Site 5 the drum vault sits on top of /// will

10/30/02

12:45 PM - Per request from Turner, I called and left voice msg for David Kennedy (718.422.5649) U.S. DOJ attorney in Southern District of NY) to send me, overnight if possible, copies the following three documents:

- Two documents that should have been part of Cedar's Bankruptcy filings:
 - Cedar's filed Statement of Affairs.
 - Cedar's filed Petition in Bankruptcy.
- The complete Cedar/Trans-Resource report, with all tabs and inclosures, that Hellerman had provided to him.

01:05 PM - Made 2nd call to David Kennedy (718.422.5649) and left voice msg asking if, after he'd received Hellerman's report, had he received any additional information that we could use the link Cedar's CERCLA liability to its parent corporation.

10/30/02

2:15 PM - Called Jim Rigg, (501.682.0832, ADEQ Geologist). Asked if he could check to see if any of reports that were required by ADEQ from Cedar were signed/reviewed by TRI employees, or submitted to ADEQ by TRI. Jim will check and get back to me tomorrow.

11:00 AM - Received call from Jim Rigg. Comments were:

- Jim Rigg's fax # is 501.682.0565
- He will look for any reports submitted to ADEQ from Cedar that have signature blocks from Cedar's parent corporations. He will also get names from persons have signed any of Cedar's reports and I will then try to match the names with persons employed by any of Cedar's parent corporations.
- I will fax a copy of Hellerman's report that does list some names of Cedar's parent corporations that were working in West Helena for Cedar.

3:01 PM - Faxed copy of Hellerman's report to Jim Rigg at 501.682.0565.

11/05

Web site for RiceCo, LLC is <http://www.ricecollc.com/> and address info from web site is: RiceCo, LLC, 5100 Popular Avenue, Suite 2428, Memphis, TX USA 38137, phone # 901.818.9161. Webb site states that RiceCo, LLC is "a joint venture between Decar

Chemical Corporation and Westrade RC, Inc. dedicated to becoming the world's premiere marketer of Propanil, combination rice herbicide and rice related products.

11/07/02

Following information obtained 10/07/02 by Werner from the following website:

<http://www.dupont.com/corp/overview/subsidiaries/>

Company at a Glance Worldwide subsidiary and affiliate companies.
DuPont Heritage
200th Anniversary
Subsidiaries

View By: Company Name | U.S. State/Country
Company Name

Organized Under the
Laws Of U.S.
State/Country

Acorn Leasing, L.L.C.	Delaware
Agar Cross S.A.	Argentina
Camtex Fabrics Ltd.	England
Christiana Insurance Limited	Bermuda
Destination Realty, Inc.	Delaware
DPC (Luxembourg) SARL	Luxembourg
DSRB Ltda	Brazil
DUKL Holdings Limited	England
DuPont Agrichemicals Caribe, Inc.	Delaware
DuPont Agricultural Caribe Industries, Ltd.	Bermuda
DuPont Agricultural Chemicals Ltd. (80% owned)	China
DuPont Agro Hellas S.A.	Greece
DuPont Argentina S.A.	Argentina
DuPont Asia Pacific, Ltd.	Delaware
DuPont (Australia) Ltd.	Australia
DuPont Beteiligungs GmbH	Austria
DuPont BVco BV	The Netherlands
DuPont Canada Inc.	Canada
DuPont Capital Management Corporation	Delaware
DuPont Chemical and Energy Operations, Inc.	Delaware
DuPont China Holding Company Ltd.	China
DuPont China Limited (HK)	Hong Kong
DuPont China Limited (U.S.)	Delaware
DuPont Coatings SAS	France
DuPont Conid S.p.A.	Delaware
DuPont Coordination Center N.V.	Belgium
DuPont CZ s.r.o.	Czech Republic
DuPont DACI Beteiligungs GmbH	Austria
DuPont Danmark ApS	Denmark
DuPont de Colombia, S.A.	Colombia
DuPont Delaware, Inc.	Delaware
DuPont de Nemours (Belgium) BVBA	Belgium
DuPont de Nemours (Deutschland) GmbH	Germany
DuPont de Nemours Development S.A.	Switzerland
DuPont de Nemours (Flandre) S.A.	France
DuPont de Nemours (France) S.A.S.	France
DuPont de Nemours Groupe S.A.R.L.	France
DuPont de Nemours International S.A.	Switzerland
DuPont de Nemours Italiana S.r.l	Italy
DuPont de Nemours (Luxembourg) S.A.R.L.	Luxembourg
DuPont de Nemours (Nederland) B.V.	The Netherlands
DuPont de Nemours Packaging S.A.S.	France
DuPont Deutschland Holding GmbH & Co. KG	Germany
DuPont Diagnostics, Inc.	Delaware
DuPont do Brasil S.A.	Brazil
DuPont Eastern Europe BV	Netherlands
DuPont Dow Elastomers L.L.C. (50% owned)	Delaware
DuPont Elastomers Inc.	Delaware
DuPont Electronic Materials, Inc.	Delaware
DuPont Electronics Microcircuits Industries, Ltd.	Bermuda
DuPont Energy Company	Delaware
DuPont Engineering Products, S.A.R.L.	Luxembourg
DuPont Environmental Remediation Services, Inc.	Delaware
DuPont Far East, Inc. "Philippines	Philippines
DuPont Far Eastern Petrochemicals Ltd.	Taiwan
DuPont Feedstocks Company	Delaware

DuPont Fibers (China) Ltd. (86.5% owned)	China
DuPont Fibers (Shanghai) Ltd.	China
DuPont Flandre Finance	France
DuPont Flooring Systems, Inc.	Georgia
DuPont Foreign Sales Corporation	Virgin Islands
DuPont Global Operations, Inc.	Delaware
DuPont Herberts Automotive Systems Services BVBA	Belgium
DuPont Holdco Spain I, S.L.	Spain
DuPont Holdco Spain II, S.L.	Spain
DuPont Holographics, Inc.	Utah
DuPont Hungary Kft	Hungary
DuPont Iberica, S.L.	Spain
DuPont India Ltd.	Delaware
DuPont International (Luxembourg) SCA.	Luxembourg
DuPont de Nemours International S.A. â€" S. Africa	South Africa
DuPont International Trading, Inc.	Delaware
DuPont Kabushiki Kaisha	Delaware
DuPont-Kansai Automotive Coatings Company (60% owned)	Delaware
DuPont KGA B.V.	The Netherlands
DuPont Khimprom	Russia
DuPont (Korea) Inc.	Republic of Korea
DuPont Mediactal Products, Inc.	New York
DuPont Mexico S.A. de C.V.	Mexico
DuPont Netherlands, Inc.	Delaware
DuPont (New Zealand) Limited	New Zealand
DuPont NLco B.V.	The Netherlands
DuPont Operations Inc.	Delaware
DuPont Operations (Luxembourg) SARL	Luxembourg
DuPont Operations Worldwide, Inc.	Delaware
DuPont Orient Operations Ltd.	Delaware
DuPont Performance Coatings Austria GmbH	Austria
DuPont Performance Coatings GmbH & Co. KG	Germany
DuPont Performance Coatings France SAS	France
DuPont Performance Coatings Iberica, S.L.	Spain
DuPont Performance Coatings, Inc.	Italy
DuPont Performance Coatings Nederland BV	The Netherlands
DuPont Performance Coatings Polska Spolka z.o.o.	Poland
DuPont Performance Coatings Pty. Ltd.	Australia
DuPont Performance Coatings Scandinavia AB	Sweden
DuPont Performance Coatings (Thailand) Ltd.	Thailand
DuPont Performance Coatings, Tintas e Vernizes, S.A.	Portugal
DuPont Performance Coatings (U.K.) Ltd.	England
DuPont Pharma, Inc.	Delaware
DuPont Poland BV	Netherlands
DuPont Poland Sp z.o.o	Poland
DuPont Polimeros Ltda	Brazil
DuPont Polyester Europe Aps	Denmark
DuPont Polymer Powder SARL	Switzerland
DuPont Powder Coating Belgium N.V.	Belgium
DuPont Powder Coatings Andina S.A.	Colombia
DuPont Powder Coatings France SAS	France
DuPont Powder Coatings Iberica, S.L.	Spain
DuPont Powder Coatings Saudia Co. Ltd.	Saudi Arabia
DuPont Powder Coatings Scandinavia AB	Sweden
DuPont Powder Coatings U.K. Ltd.	England
DuPont Powder Coatings USA, Inc.	Texas
DuPont Protein Technologies.	Delaware
DuPont Pulverlack Deutschland GmbH & Co., KG	Germany
DuPont Qingdao Nylon Enterprise Ltd. (99.5% owned)	China
DuPont Quimica de Venezuela C.A.	Venezuela
DuPont Russia	Russia
DuPont S.A. de C.V. (DUPSA)	Mexico
DuPont Scandinavia GmbH	Germany
DuPont Services B.V.	Netherlands
DuPont Singapore Fibres Pte. Ltd.	Singapore
DuPont Singapore Pte. Ltd.	Singapore
DuPont Specialty Grains, L.L.C.	Iowa
DuPont Sverige AB	Sweden
DuPont Taiwan Ltd.	Taiwan
DuPont (Thailand) Co. Ltd	Thailand
DuPont Trading (Shanghai) Co., Ltd.	China
DuPont Treasury Ltd.	United Kingdom

DuPont UK B.V.	The Netherlands
DuPont (U.K.) Investments	England
DuPont (U.K.) Ltd.	England
DuPont Vespel Parts and Shapes, Inc.	Pennsylvania
DuPont Wirex Ltd.	Taiwan
DuPont Yunmeng Protein Company Limited	China
E. I. DuPont India Ltd.	India
Electronic Materials DuPont Dongguan Ltd.	China
Equipamiento Industrial S.A.	Argentina
Helmstedter Lack-und Chemische Fabrick GmbH & Co. KG	Germany
Herberts America Inc.	Texas
Herberts Huajia Chemicals & Powder Coatings Co.	China
Herberts Mexico S.A. de C.V.	Mexico
Herberts Plascon Pty. Ltd.	South Africa
Herberts Powder Coatings (Myaysia) Sdb	Malaysia
Holding DP, S.A. de C.V.	Mexico
IDAC Belgium â€" EP Branch BVBA	Belgium
Initiatives de Mexico, S.A. de C.V.	Mexico
International Dioxide, Inc.	Rhode Island
Laurel NA, L.L.C.	Delaware
Oval Securities, Inc.	Delaware
Permatex GmbH	Germany
Permatex Italia S.r.l.	Italy
PG Assets, L.L.C.	Delaware
Pioneer Hi-Bred International, Inc.	Iowa
Pitt-Consol Chemical Company	Delaware
Polar Vision	California
PolyGlobal Associates, L.L.C.	Delaware
Protein Technologies International, Inc.	Missouri
PT DuPont Agricultural Products Indonesia (80% owned)	Indonesia
PT Herberts Indonesia	Indonesia
Qualicon, Inc.	Delaware
Sentinel Transportation, LLC (80% owned)	Delaware
Spies-Hecker, GmbH	Switzerland
Sporting Goods Properties Inc.	Delaware
Teodur B.V.	The Netherlands
UNIAX Corporation	California
UNIAX LLC	Delaware
Verniplast S.A,	Switzerland
Westrade RC, Inc.	Texas

Subsidiaries not listed would not, if considered in the aggregate as a single subsidiary, constitute a significant subsidiary.

11/18/02

Called David Kennedy (718.422.5649). Discussed significance of his 11/18/02 email and made email reply to Turner (SEE TURNER_T04 Email informing Turner of my request for Kennedy to obtain a copy of the 1998 Settlement Agreement.wpd). I talked to Kennedy about this matter yesterday afternoon. Kennedy said there are several reasons that TRI might have been identified as a defendant in this suit.. However, the significant unanswered question is, did TRI settle without prejudice (settle without admission of liability or association to Vicksburg/Cedar) or did TRI settle because it was found to be responsible for Vicksburg's/Cedar's liabilities? Kennedy said that he will make arrangements to obtain, and provide me with, a copy of the 1998 Settlement Agreement for this suit so we can identify the reason(s) for TRI's agreement to settle with the plaintiffs.

11/19/02

11:00 AM - Called Jim Rigg (501.682.0832, ADEQ Geologist and also Dave Hartley's Supervisor) concerning his check for TRI service personnel signing environmental reports for Cedar. His receptionist answered his phone, said he is out of office all day and will return tomorrow. I left msg for to ask Rigg to call me tomorrow. Jim's email address is "rigg@adeq.state.ar.us".

- Jim Rigg's fax # is 501.682.0565
- He will look for any reports submitted to ADEQ from Ceddar that have signature blocks from Cedar's parent corporations. He will also get names from persons have signed any of cedar's reports and I will then try to match the names with persons employed by any of Cedar's parent corporations.
- I will fax a copy of Hellerman's report that does list some names of Cedar's parent corporations that were working in West Helena for Cedar.

11/20/02

9:12 AM - off voice mail received a 8:51 AM return call from Jim Rigg (501.682.0832, ADEQ Geologist and also Dave Hartley's Supervisor) and returned Jim's call. Jim hasn't really been able to check for the needed info. We agreed that I will come to ADEQ on 12/03/02 (Tuesday) to review documents sent to ADEQ from Cedar Chemical. He said that he will get files set up for my review. Jim said he or Dave Hartley (the ADEQ contact person for the Cedar site) will be able to assist me when I am there.

Van P. Kozak, Multi-media, mail code 6PD-P, Cube 6A08, phone 5.3103

12/02/02

2:00 PM - Called Jim Rigg (501.682.0832, ADEQ Geologist and also Dave Hartley's Supervisor) about ADEQ writing to Trans-Resources. Secretary said he's away from office but Mike Hill 501.682.0840 is the project mgr for the Cedar Chemical Site. She said Mike is in the office but away from his desk, she left msg for him to call me.

2:08 PM -Called Van P. Kozak, Multi-media, pesticides section. Voice msg is that he will be on travel till 12/9/2002. Van's secretary said Jerry Oglesby 5.7563 handles the AR area. Also found out that pesticide mfgs will be registered with both the state where they are located and with the EPA.

2:30 PM - Called Kennedy 718.422.5649. Left voice msg that I'm looking for information concerning the law firm that represented the plaintiffs in the action against Vicksburg, Cedar, and Trans-Resources.

3:48 PM off 3:18 PM Jim Rigg - ADEQ 501.682.0832. Left voice msg.

3:30 PM Mike Hill - 501.682.0840. Left

3:55 PM - Called Jim Rigg (501.682.0832). will find out drafted but don dave hartlye is point of contgact , , , , dan e 501.682.0888.

4:00 PM Called Dan Etzkorn (501.682.0888). His significant comments are:

- ADEQ has already sent letters to RiceCo and Trans-Resources asking if they would be willing to participate in the site's cleanup. He's received a phone call from an attorney (Mr. Ed Klimerman [SP?] 212.398.5830) acknowledging receipt of letters. Etzkorn said that Klimerman said that ADEQ will received a written response shortly. Etzkorn said he believes the essence of the letter response will be the claim that neither RiceCo nor Trans-Resources have any responsibility.
- Dick (cannot remember the last name) had worked for Cedar in the formulation lab. RiceCo hired him as a consultant after Cedar let him go
- ADEQ file room persons are Ms. Watson, 501.682.0083 & Carla Graham 501.682.0005.
- In Manhattan a man named Charles Miles testified during the bankruptcy trial. He'd served as a plant manager for both Cedar and Vicksburg. He testified that from time to time he would fly to Manhattan where all three corporate representatives would meet simutiaonly.
- Dan suggested I search for Trans-Resources on www.sec.gov for information.
- Dan said that earlier today Chuck Barlow in MS 601.961.5076 had said EPA Region 4 was going to bring Trans-Resources as a PRP if the if dollars from the sale of part of the site to the casino and the part of the site to the chemical company are less than the site's clean up cost.
- As he remembers, the proof of claim filed by Region 4 proof during the bankruptcy court was \$30M.
- Two different casinos have indicated they would like to buy part of the MS site to make a golf course (est sale price is \$1.2 M). This part of the site is on a river. The Casinos will the build thier gambling casinos on the adjacent river.
- Three chemical companies have indicated interests in buying the part of the site that the plant is located on.
- Phil Gund (212.818.1555) is a "crisis" manager in Manhattan that was hired by Cedar and Vicksburg to help dispose of the corporation's assets. Phil would have information about the "auction" price Cedar is asking for its interest in RiceCo.
- Wilda Cobb (404.562.9530) is the Region 4 attorney working on this case.

4:32 PM - Called Mike Hill - 501.682.0840.

12/09/02

9:31 AM - Called Andy Hey at 404-562-9522 and left voice msg that I would like to participate in this week's visit to Memphis to review Cedar's records to see if they implicate Trans-Resources.

1:25 PM off voice mail took 11:40 AM call from Andy.

3:15 PM Called Becky Keogh (ADEQ)(501.682.0959). Told her that Ragan Boyles told me he'd called her last Friday and had left her a message to return his call. He said that he had not yet received a return call from her.

1:20 PM - Called Wilda Cobb (404.562.9530). Msg, she's not in office today.

3:22 PM - Called Dan Etzkorn (501.682.0888). Talked to Linda (legal secretary). She said Dan will not be in office till Wed of this week. She also said that she is the secretary for all attorneys in the office, that all incoming mail for all attorneys comes through her, and that she has not seen any incoming mail from either Trans-Resources or RiceCo.

12/13/02

1:00 PM - Called Dan Etzkorn (501.682.0888). Told him I was sending Wilda Cobb a WP copy of the fax he'd received from Trans-Resources. He had no objection to my sending the info to Cobb. He has no objection to Region 4 &/or 6 participating in the conference call to Genger. Dan again said that while in Manhattan the impression that Miles had give him was that when he went to Trans-Resources HQ he would meet with Genger and Genger would issue instruction. Dan said that Chuck Marlow (601.961.5076) was the attorney in Region 4 attorney that was working on this case.

1:10 PM - Called David Kennedy (718.422.5649). Left voice mgs asking that Etzkorn wanted to know if he would be the DOJ attorney that represented EPA if EPA files charge against Trans-Resources (Trans-Resources HQ is in Manhattan).

12/16/02

2:19 PM - Called Wilda Cobb (404.562.9530). Left voice msg for her to call me to advise me of her findings from last week's trip to Memphis.

2:30 PM - Received call from Wilda. She and her team (wilda, Andy, and Greg) spent two days at the Cedar/Visksburg HQ in memphis. Important comments from Wilda were:

- All of Cedar's major contracts had to be sent to TRI for comment and approval prior to Cedar's acceptance of each contract.
- Saw numerous contracts (Shell Oil) that called for Cedar to blend raw materials that third parties would provide to Cedar.
- TRI insurance acquired the insurance of Cedar and Vicksburg.
- Greg Armstrong (404.562.8872) and Andy Hay (404.562.9522) had been with her in Memphis. Armstrong focused on contracts.
- The got some good financial info.
- TRI sent letter to Cedar/Vicksburg with instructions that they would hold corporate meeting and that they should have a secretary record the minutes.
- They spent two days at Cedar/Vicksburg hq o run meeding./// spent two days last week/ wilda, Andy, and Greg

2:34 PM - Called Called Dan Etzkorn (501.682.0888). Linda (secretary) said he Dan is out of office till tomorrow.

01/09/03

4:00 PM - Called Greg Armstrong (404.562.8872) - Project manager for the Vicksburg Site. Significant comments from Greg were:

- While he, Andy, and Wilda were in the Memphis office of Cedar/Vicksburg the found Many formulation agreements with the "typical major players." He specifically remembered Shell as a name for one of the "typical major players." He couldn't remember other specific names but he remembered the names he had seen were major players.
- The agreements identify that the raw materials were owned by Shell and others, were shipped to Cedar, formulated by Cedar and the final product was returned to Shell and others.
- He didn't remember seeing any formulation agreements with RiceCo. He also said he wasn't familiar with the RiceCo name.
- He couldn't remember the names of the Cedar/Vickburg persons they had talked to in Memphis but he did say that they had said the majority of the formulation agreement work was being done by Cedar in Helena.
- The Cedar/Vickburg document copies they picked in Memphis pertained to Cedar.
- He said that Andy Hay, the paralegal that works with Wilda (404.562.9522) has these copies. Andy is assembling these now in the "war room."
- Hesaid there are "many more" formulation agreements in the Memphis office. He

- said if I go there, be sure to ask for the documents in the "back room."
- He didn't know yet if he was going to go to NY with Wilda. He didn't know if she had yet made plans to go to NY.
- He said he definitely plans to go to the Vicksburg location to look for formulation agreements.

4:55 PM - Called Andy Hay, the paralegal that works with Wilda (404.562.9522). Left voice msg for him to call me back.

5:00 PM - Called Wilda Cobb (404.562.9530). Left voice msg to call me back tomorrow.

Completed enforcement attachment signed by all parties and dated 01/09/2002.

01/10/02

10:45 AM - Off voice mail received 7:57 AM call from Wilda. She said she is dealing with Mr. Klimmerman (attorney for TRI) and probably will not go to NY until next week to review TRI documents.

11:00 AM - Called Wilda Cobb (404.562.9530). Important points Wilda said were:

- She has told Klimmerman that she would like to look at corporate minutes.
- She's still waiting for call back from Klimmerman but she hopes to be able to go to NW week of 01/20 - 01/24.
- She confirmed that Andy is still assembling the document copies they picked up in Memphis last month.
- To my question about records in back room she said the accountant (she couldn't remember his name) told her she didn't need to go back there, there was nothing back there. She further said that the accountant initially told her that there were no records the office. Wilda said she told him she would still look around the office. She said she found lots of Cedar/Vicksburg records in the back room (she said that the accountant specifically told her that there was nothing in the back room). She said the back room was full of records.
- She said the accountant told her that neither Cedar nor Vicksburg held corporate meetings so there were no minutes for corporate board meetings. The accountant told her TRI had told them they were supposed to hold meetings and have a minutes recorded with a secretary but they never did.
- Wilda said she is being kept informed of the future call to xxxxx[pcomming ld us to bu they /// then TRI told them to //// andy 404.562.9522 ///// they were tri your don't need to go in there... the "your don't need to go in there,

10:10 AM - Called Andy Hay (404.562.9522). Significant comments from Andy are:

- His fax # is 404.562.9486
- He is reviewing the two boxes of documents that they picked up last month from the Cedar/Vicksburg HQ in Memphis. He says he needs to contact DOJ to find how the should assemble the information.
- He said his impression after reviewing the documents he's seen is that a reasonable person would conclude that TRI held substantial control over both Cedar Chemical and Vicksburg Chemical.
- Files referring to officers being transferred to TRI from Cedar/Vicksburg and between Cedar and Vicksburg indicated that they were being promoted rather than leaving one company and going to a new company.
- Many of the Cedar/Vicksburg officers were also officers of TRI.
- Documents show that the organizational relationship between TRI, Cedar, and Vicksburg was not static (it was constantly changing). Almost like a company was continually reorganizing is various divisions or sections. Definite not like separate companies.
- For a period of the time insurance policies for Cedar and vicksburg were in TRI's name.
- The tax returns for Cedar/Vicksburg were consolidated with TRI's.
- Cedar/Vicksburg were reported to SEC as part of TRI.
- Significant managerial decisions for Cedar/Vicksburg had to be approved by TRI.
- Environmental matters seemed to be handled separately by each company. There appeared to be an attempt to consolidate control of environmental issues but it didn't appear that it was ever centralized. (I commented about the Cedar web page that said TRI monitored Cedar's environmental activities.
- greg put a bund of agreement that applyu to Helena. most /possibly all are missing agreements to produce x amount of product agreemt with shell to proud with shell plant in mobile, AL.
- He thinks Wilda has the TRI letter that contained instructions of how Cedar/Vicksburg were supposed to have corporate meeting and have a secretary record the meetings. He will get a copy of the letter and fax it to me.

- He saw many agreements from third parties for Cedar to buy, blend and sell the blended product to the third parties. He didn't remember there being contracts that called for third parties to ship raw ingredient to Cedar to blend and then return the blended product back to the third parties.
- Johnny Hanna was the Cedar/Vicksburg person in Memphis that they had talked to. He had been their accountant, I think he had been a VP for the two companies.
- Hanna stalled a lot, he "hemmed and hawed" a lot.

5:00 PM - Called Wilda Cobb (404.562.9530). Left voice msg asking if she would call me back and tell me if she took notes of Mr. Hanna's apparent stalling activities and his comments concerning Cedar/Vicksburg not holding corporate minutes.

01/15/03

From Andy Hey 404-562-9522 received fax copy of 08/30/2000 memo sent from Tomlin to John Kelly.

My notes from info of the 08/30/2000 memo" sent from Tomlin to John Kelly.

- "kpower.com" is URL for web site of Haifa Chemicals Ltd. HQ. Therefore, since the memo was addressed/sent to "jkelly@kpower.com" it is likely that John Kelly is an employee of Haifa Chemicals Ltd. Therefore, since the memo was addressed/sent to "ont@haifachem.com" it is likely that "ont" is also an employee of Haifa Chemicals Ltd.
- "haifachem.com" is also URL for web site of Haifa Chemicals Ltd. HQ
- "VJ" probably refers to The Horticulture sector of TRI that includes a company named "V-j Growers."

3:40 PM - Called Andy Hey at 404-562-9522 and left voice msg to call me about the faxed document and the still needed letter concerning TRI guidance to Cedar/Vicksburg about how they should run their corporate minutes.

02/04/03

Received info from Wilda, via Turner, that she found many internal documents that clearly show TRI's control over Cedar and Vicksburg. Wilda said that TRI's attorney evidently realized that EPA's position would be very difficult to defend and therefore was willing to talk about a "global" settlement between TRI, Reg 4, MS, Reg 6, and AR.

2/06/03

1:09 PM - Called Dan Etzkorn (501.682.0888) is the ADEQ. Talked to Dan and Dave. Dave knew of the Collective Action Strategy Meeting. Dave said it was shortly after the Collective Action Strategy Meeting was held that Cedar filed for bankruptcy protection.

Per Hinds County web site http://www.usm.edu/mssac/counties/hinds_county.htm :

Circuit Court District: District 7

Hinds County Circuit Clerk [Barbara Dunn]

P.O. Box 327, Jackson, MS 39205

Phone: 601-968-6628

Fax: 601-973-5547

Called clerk who looked said she could not find a 1995 case with Vicksburg, Cedar, and Trans-Resources and Defendants.

02/10/03

12:20 PM - Called Gary Moore on his cell (214.789.1627), left voice msg asking if he had talked to Richard Fraley (ex-Cedar employee who had worked as under contract with RiceCo from 3/15/02 - 12/31/02). RE_- He'd worked in the formulations lab for Cedar on the RiceCo work before he had been terminated. Did he say anything about who bought/owned raw ingredients, Cedars or RiceCo? Did he say anything about off spec product being returned by RiceCo to Cedar?

12:30 PM - Received call from Gary. He did call Fraley back and he has notes of the conversation. He didn't remember talking to Fraley about off spec product being returned by RiceCo to Cedar. He said no toling agreements; that raw materials were purchased by Cedar and not sold to RiceCo until formulated to RiceCo's registration specs. That RiceCo was only a marketing and distributor.

2:20 AM - Called Dan Etzkorn (501.682.0888). San's significant comments:

- Cedar's significant by of its interest in RiceCo's is Westrade RC, Inc. Westrade has offered 5.5 million.
- I told Dan that Westrade RC, Inc. is a subsidiary of Dupont.
- He said he believes that Dave Hartley plans to go to the Helena Site and on Thur he will of the Memphis EnSafe office.
- Jeff Bennett, with EnSafe, has said that all stuff (EnSafe's info concerning

Cedar Chemical) is in EnSafe's Archives in Memphis.

- Concerning RiceCo's returned out of spec product, he said that:
 - ADEQ inspector(s) that had been at the site before it closed had been told by Cedar employees that RiceCo's products were shipped directly from Cedar to RiceCo's customers.
 - That RiceCo's customers would return out of spec product back to Cedar. Returned out of spec product would be shipped back to Cedar and held in the Blackhawk warehouse. At some later time Cedar would take the out of spec product from the Blackhawk warehouse and put in back into production in an attempt to reformulate it into acceptable product.
- I sent an email to Dan of the D&B report that I had run last Nov for Riceco.

3:36 PM - Called Dave Hartley, 501.682.0843. His significant points:

- On Wed he will go to the Helena Site and on Thur he will of the Memphis EnSafe office.
- He said his understanding is EnSafe only has only raw data (no final feasibility or proposed remedy report for the Site).
- He has so many things to do on Wed that he doubts he will have time to search for any invoices or documents that might be at Cedar's Helena office.
- He said his understanding is that EnSafe never had a contractual with Cedar to produce a final feasibility study/report. He thinks last work done by EnSafe was a week's work of geo probes (ground water study).
- The \$35,000 amount that Becky had been talking about only pertained to EnSfe's cost of its completed geo probes.
- His purchase authority to acquire the report (or whatever EnSafe has) is up to \$5,000. He didn't know if Ensafes would give him their report that he could take back to Little Rock, if they would only let him make copies at the EnSafe office, or if EnSafe would copy the report and bill ADEQ for total costs.
- I will call Dave on Friday to see if EPA needs to prepare a 104(e) letter request for the EnSafe info.
- Jeff Bennett, EnSafe person, said all the Cedar stuff is in archive in EnSafe's Memphis office.

02/13/03

11:40 AM - Called David Kennedy (718.422.5649) concerning if he had found been able to get a copy of the 1998 TRI/Cedar/Vicksburg Settlement Agreement? Also sent email asking same info.

ERROR ERROR ERROR

ALL MY FILE NOTE FROM 02/13/03 TROUGH TODAY (02/27/03) ARE LOST ????? WHY?????

10:45 AM - Called Wilda 404-562-9530 concerning her 02/25/2003 02:52 PM email subject being "TRI Insurance Issue call." Significant comments were:

- When I told her that our office had been closed for the last two days due to the icy conditions she said that explains why she has had few response calls as of yet. She had thought the bad weather had been restricted to the East.
- Dan Etzkorn has called her and will participate in her conference call.
- Because she's had few response calls to date, she said her proposed conference call will be postponed till next week. She said next Friday would be best for her but she will keep me advised of when the call will be scheduled. I told her next Friday would be OK with me.
- She hadn't heard from Kennedy so she was going to call him later today (I gave her Kennedy's office phone number) to be sure he will participate in the conference call.
- Wilda said that Jo Ann Callahan (Insurance Specialist at Office of general counsel) and other persons familiar with insurance policy coverages will participate in the conference call.
- Wilda has already been talking to Jo Ann Callahan (Insurance Specialist at Office of general counsel) on this matter. Jo Ann has given Wilda the impression that conditions at the sites are covered by the insurance policy.
- She said insurance policy had been purchased by TRI.
- She said the policy specifically names the Cedar and the Vicksburg facilities as covered facilities.
- She said it is an environmental insurance policy
- She said the policy limit is \$1,000,000 per facility.
- She said that Jo Ann has told her that claims against this policy must be submitted NLT 04/03/03 (last date of coverage under the policy).
- I told her that Region 6 has not sent any type of demand letter to either Cedar or TRI, however, ADEQ has sent a demand letter to TRI.

03/11/03

4:40 PM - Called Wilda Cobb (404.562.9530) and left voice msg for her to call me about setting time next week for the conference call concerning insurance proceeds.

03/12/03

10:45 AM - Called Axle Sims (404.562.9508) who is Wilda Cobb's assistant. Told her that Kennedy will not be available for conference call if it is rescheduled for Thru or Friday of this week. Advised it must be next week.

11:00 AM - Called Wilda Cobb (404.562.9530). Left voice mail that Turner is OK to participate in call anytime next week except Tue morning before 11:00 AM.

2:00 PM - Called Dave Hartley (501.682.0843).

- RCRA facility or Intrum Status?
- What contaminates in ground water Plum?
- Did Cedar use, or produce similiar chemicals?
- Did Cedar prepare (Emergency Planning & Community Right-to-Know of EPCRA):
 - Annual EPCRA 313 reports?
 - Annual EPCRA 325 reports?

Called Steve Mason in 8th floor Emergency Response room (5.9701) about status of EPCRA 313 reports for Cedar Chemical. Steve said that Mort Wakeland handled the annual EPCRA 313 (a/k/a form R report) (a/k/a tier 2 reports).

2:55 PM - Called Mort 5.8116. Mort said:

- Call Steve Mason for Tier 1 and Tier 2 report - These report cover chemicals on site (US Code, TITLE 42, CHAPTER 116, SUBCHAPTER II, Sec. 11022. - Emergency and hazardous chemical inventory forms).

3:40 PM - Called David Hartley (501.682.0843) broug back up publclsh documetn to implement remeciatio pdroject. Note extensive but does given estim of cost and activities needed (besr 3.3 to 40 M dollars best professional judgment of presumtive approache. APPEARS TO COMVER EQUIPMENT INSTALLATIONS - STABALizatron (ONLY) NOT REMOVING ANYTHING LOW GROUND PUMP AND TREAT -NOT CLEAR IF IS COMVERE O&m COST INSTALLATION OF EQUIEPMNET (OPERATION AN MAINTIENACE., RECORDERS ASSUMS THE PLANT WOULD HAVE COVERED o&m DIFFERENCT POINTS VAIROUS FROM UNIT TO UNIT..... LOW END STABALIZTION EFFORT WITH ROUDGH GUESTIMATES

- datat tested bu not completed - only raw data not validated /// i have gentar idear where they sammpled.
- basicall it suported the facdt the lateral extend of the plumb looks like they went around the field and it had /// still a mile from the site but maybe a mile + 1000 feet ////ball park about 1 mile to s or plant (some to the SE).
- last qualified data /// all unqalitate=ve learned cedar was runnign samples at timeEnsafe was running its test.
- cedar doing screening and ensafe collected .
- pr **1,2 dichloroethane** primayr in the plumb. hisrotically is was not used by chemical up to the late '90s Cedar had used this compund in one of its formulation... some of Cedas's employees said that 1,2 dichloroethane was used to the the ..

//////////

enthyleneglycol released from unit 4. Dave reminded me that unit 4 was also is the same unit that "Aciflourfen" was formulated in

- He confirmed that **1,2 dichloroethane** is also known as "EDC" or "ethylene dichloride."
- Dave said there appear to be an inconsistancy, a report for one year that lists "Aciflourfen" as an inventory item doesn't list **1,2 dichloroethane** (a/k/a "EDC" or "ethylene dichloride") as an inventory item. Note - **1,2 dichloroethane** was used in the production/formulation of "Aciflourfen."

//////////

- "Aciflourfen" (unit 4) was prouded in until ...came form a/k/a "EDC" or "ethylene dichloride" also based EDC was a compponneth EDC in initial production of till late '90's. Made for Zeneca Chemical
- in the 70's for Mobile Oil "EDC" was use for a "Mobile Process" Maybee MBE
- Some dialog between Cedar and Mobile about this process, one of meetings //// Cedar attorney Alan Malone was Cedar's attorney and also for many of the site's previous opeatores. this is a cholornated solvent ((lat 70 the site was opearete by Egal or Vertac" (would have to have been a substain
- ADEQ has done several site investignaeion, (as arslut of consent of administarive orders - done early to mid 90's) but they didn't contain good data about

- compounds in the plum only general indication of contaminants but did not identify specific contaminants)... Our testing the 90's did have good /// I don't know when the "Ac" I was talking to /// later investigation 92/93 in different phases did really identify... Mobile (Source was unit 5) source area waste water piping /// site 2 (the former pond - filled in during the late '70s)
- based on personal observations of spill containment areas, some of the containment areas cannot even contain storm water.
 - Had water treatment and air permit at time of purchase
 - started late mid to late '90's stopped late 90's when another chlorinated solvent was used as a and made change in process replace with EDC in roingan production
 - in the
 - I think Cedar used 1,2 dichloroethane in its /// this is the most
 -
 - I don't have Tier 1 or 2 reports maybe air philip murphy John Ward - I think he was is the designate person 682.0913 to.
 - o Richard McDuffee (Emergency response coordinator (501.682.0716) - may have a better idea about the
 - gave to Gary what we prepared for the bankruptcy exhibits. my summary of prior investigations.
 - increase of contamination levels up to that time it looked like it was level, then later tests show higher levels (tests in the late 90' early 2000/// test wells on outer edge of contaminated plum) from near detection level to parts per billion to parts per million OFS = off site monitoring wells ///
 - outer test wells originally installed 97 (maybe) ///did have test wells inside site but not consistent data analyzed..
 - "EDC" materials should not have leaked to the waste water ponds (ponds were not permitted to handle hazardous wastes.

end with EDC as ingredient but not listed as an inventory item. sug79 - 2000 at average 30,000 pd per day. if another name for 1,2 dic

4:46 PM - Called Richard McDuffee (ADEQ Emergency response coordinator - 501.682.0716). No, he didn't receive these reports. I need to call Kenny Harmon (501.730.9789) AR Dept of Emergency Management located in Conway, AR. Richard said the Conway office closes at 4:30 PM.

4:55 PM - Called Steve Mason (5.9701) who said the Tier 2 report only goes to the state and the local (fire dept). He said either Kenny Harmon or Karen Wood could get the Tier 2 info I need (He said Karen is the person that actually tracks the Tier 2 info).

03/13/03

01:45 - Called Kenny Harmon (501.730.9789) AR Dept of Emergency Management. He said everyone in the office that works with the Tier 2 reports is sick today. He thinks Karen will be in tomorrow. If she is not in tomorrow he'll try to find the reports I need. I told him I'm looking for as many historical Tier 2 reports he can find for Cedar Chemical Company. He also said the I might check with Chip James (870.572.3445) with the Helena Fire Dept for Tier 2 reports. He didn't know how far back his office, or the Helena Fire Dept, might have retained historical reports.

1:20 PM - Called Chip James (870.572.3445) Helena Fire Dept. He said his dept retains only the current years Tier 2 reports. He said the County might retain historical copies. He said I should call Virginia Batts (870.338.5530) in the Phillips County Emergency Management office.

1:45 PM - Called Virginia Batts (870.338.5530) in the Phillips County Emergency Management office, Phillips County Courthouse, Room 106, 620 Cherry Street, Helena, AR 72342. She said she keeps these reports way way back. She said she is swamped with work and she is a one person office. She asked if I could have anyone local come in and make the copies, she said we can use her copy machines, she is just strapped for time. She said the 1998 report (filed in 1999) contained 12 pages. She said she knows she has the reports back to 1991.

2:15 PM - Called Gary Moore in 8th floor Emergency Response room (5.9701). Told that Gary is still working on the shuttle program.

2:40 PM - Called Dave Hartley (501.682.0843). He will be the potential purchaser I have two groups this is finally viable.... both looking at resuming her bio-diesel // ericide is most financially ,,,, trying to train others for stormwater treatment meeting at 10:30 AM maybe teny stormwater training ... the group is a not for profit corp but if it goes through then //// last 40 million dollars for herbicide. I they do it is will be authorized this year ... a business plan this year sales now but going into mfg. but own numerous registrations. try to get inspectors.

4:17 PM - Called Kenny Harmon (501.730.9789) AR Dept of Emergency Management. Told him will not need his help, will get needed Tier 2 reports from Virginia Batts.
03/17/03

11:45 AM - Called Dave Hartley (501.682.0843). He will have Mike Hill (Engineer) and Richard Healy (Inspector) from his office go Virginia's office to run the Tier 2 reports. Will go from current to oldest.

12:34 AM - Called Wilda Cobb (404.562.9530). Only voice mail answered.

12:36 AM - Called Axle Sims (404.562.9508) who is Wilda Cobb's assistant.

3:20 PM - Called Dan Etzkorn (501.682.0888). Briefly discussed TRI's insurance coverage, told him I'll FAX the policy to him 501.682.0891, and Turner will call him after 3:00 PM tomorrow.

4:00 PM (Approx) - Faxed insurance policy sent to Etzkorn.

03/18/03

01:00 PM - Called Wilda Cobb (404.562.9530). Significant comments were:

- Wilda said Hhr office has not yet started putting anything together to base "piercing the corporate veil" to connect TRI to with Vicksburg's/Cedar's liabilities.
- Wilda said she today she had talked to her boss and cost recover people and decided to send a demand letter to TRI for past and future costs at the Vicksburg Site.
- Wilda said the letter would also request TRI to advise all of its insurers of the EPA demand letter.
- Wilda said the decision was not based only upon yesterday's call about the insurance policy.
- I told Wilda that I will be working on info to "pierce the corporate veil" and I will provide her a copy of my work.

3:45 PM - Office voice mail took 3:38 PM call from Wilda. She said she thinks she has notes from the discussion but she thinks the person's name that told her Cedar didn't hold corporate meetings was "Jack Hanna." She said he was Cedar's accountant as well as an officer of Cedar. His name was listed throughout the corporate minute book being an officer that was supposedly at the meetings when resolutions were passed when in fact the meetings never occurred.

3/12/03

10:57 AM off voice mail took 10:01 AM call from David Hartley (501.682.0843) asking that I call him back.

10:58 AM - Called David Hartley (501.682.0843). Significant comments:

- Dave said he has copies of the Tier 2 reports as well as the few waste release reports that Cedar had submitted to Virginia's office.
- Dave said his quick look at the reports only found one release reported dated 9/6/95 for ethyleneglycol released from unit 4. Dave reminded me that unit 4 was also is the same unit that "Aciflourfen" was formulated in
- He confirmed that **1,2 dichloroethane** is also known as "EDC" or "ethylene dichloride."
- Dave said there appear to be an inconsistency, a report for one year that lists "Aciflourfen" as an inventory item doesn't list **1,2 dichloroethane** (a/k/a "EDC" or "ethylene dichloride") as an inventory item. Note - **1,2 dichloroethane** was used in the production/formulation of "Aciflourfen."
 - 1996 report lists "Aciflourfen" as an inventory item.
 - 1997 report lists "EDC" as an inventory item.
- He will put these copies in the mail to me today (I gave him my mailing address).
- Concerning potential buyers for the Site, he said:
 - The company that currently markets various insecticides that is interest is an Australian company. The company's name is A&C Chemicals, PTY LTD. His Tuesday meeting with the company's representative (the rep traveled from Australia to attend yesterday's meeting). The ADEQ directory already has a

2/28/03 letter of intent from this company. The representative did say they would like to acquire the site with protections offered via the Brownfields Program. No other request for exemption of site liability was asked for. He doesn't know when next meeting with this company will occur.

- State Senator Lincoln's office called this morning had said they think Combustions Technologies, from Mauelle, AR that is interested in using the Site to produce diesel fuel from agriculture products) is still interested in the site and thinks they have already responded to a letter from ADEQ. He said they also would like to acquire the site with protections offered via the Brownfields Program.

03/20/03

4:20 PM - Called David Hartley (501.682.0843) concerning Turner's questions (questions listed below in tomorrow's call to Hartley). Talked to Jim Rigg who said:

- Dave had left for the day.
- The Cedar facility was not a permitted RCRA TSD facility. Back in the 1980's when Vertac was there it did have an interim permit for the ponds. As I remember during 1980 they applied for the TSD permit but ADEQ turned it down during the mid 1980's.
- Water Div would have info about their water discharge permit (permit under NPDES). The facility was permitted up until its time of closure. He is not sure of its present status.
- Air Div would have info about their air discharge permit.
- Dave will be in tomorrow at 7:30 to provide further answers.

03/21/03

02:54 PM - Called David Hartley (501.682.0843) concerning the following questions from Turner. Dave said:

1980

- VERTAC files filed a hazardous waste management facility application (Part A) for surface impoundments

1984

- VERTAC files Part B hazardous waste permit application for surface impoundments August 15, 1984.
- VERTAC withdraws Part B on November 1, 1984 on the basis that surface impoundments have never received hazardous waste
- ADPC&E acknowledged Part B withdrawal November 16, 1984 constituting a final administrative decision terminating interim status.
- Concerning Water permit (NPDES) call Mr. Mo Shafii 501.682.0616 (ADEQ Water Supervisor)
- Concerning Air permit call Phillip Murphy 501.682.0741 (ADEQ Air Supervisor).
- Dave emailed copies of ADEQ permits, that existed at Cedar's demise, to the two prospective buyers (Dave said he will forward these to me).

03:19 PM - Called Phillip Murphy (ADEQ Air Supervisor) (501.682.0741) concerning the status of the ADEQ Minor Source Air Permit (Permit #: 878-AR-13 issued to Cedar Chemical Corporation).

Phillip said:

- Permit stays with the facility until ADEQ terminates the permit. As of this time ADEQ has not terminated the Cedar Air permit, it is still active in ADEQ's data base.
- He said he was aware of the two prospective buyers. For the existing permit to be transferred to whoever acquires the site, the first thing the new buyer would have to do would be to pay all outstanding permit fees.
- Phillip said for the existing permit to be transferred to a new owner, the new owner will have to pay all outstanding permit fees and meet all ADEQ requirements. If this happens, the same air permit, with the same permit number could be transferred to the new buyer.

03:40 PM - Called Mo Shafii (ADEQ Water Supervisor) (501.682.0616) concerning the status of the water permit (Permit number: AR0036412 issued to Cedar Chemical Corporation). He said:

- The Cedar permit now belongs to ADEQ and not to the facility. This is because the facility was abandoned to ADEQ (ADEQ assumed operational responsibility for the waste water treatment facility).
- If the facility is purchased, the same permit could be transferred back from ADEQ to the new buyer.
- He is not sure about the status of any outstanding permit fees. He suggested that this is question be directed to ADEQ legal.

03/25/03

Late afternoon - Received the Tier 2 Report copies that Dave Hartley (501.682.0843) had Mike Hill (Engineer) and Richard Healy (Inspector) copy from originals in Virginia's office.

4:55 PM - Gave all Tier 2 Report copies to Turner (I did not make copies for myself).

04/22/03

Kay came to my cube looking for 3 red foldered SUPERFUND files for Helena Chemical Co. Her records show the files were check out on 08/08/02 to Buddy Parr. I checked my cube and didn't find the 3 SUPERFUND files. I did find 1 green foldered RCRA file for Helena Chemical Company (I then returned the RCRA file # 000208956 HZ/RC/NT for Helena Chemical Co to RCRA file room).

04/23/03

Time reviewing EPA Region 6 response to Cedar's bankruptcy